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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,388	01/13/2000	Chun R. Xia	021756-015700US	8312
51206	7590	12/14/2006	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW LLP TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 94111-3834			POND, ROBERT M	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/483, 388

EXAMINER

ART UNIT	PAPER
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20061208

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Commissioner for Patents

Requirements for Information without an action on the merits is attached with shorten reply period of two (2) months.

Requirement for Information

An issue of public use or on-sale activity has been raised in this application.

In order for the examiner to properly consider patentability of the claimed invention under 35 U.S.C. 102(b), additional information regarding this issue is required as follows: Provisional application 60/175869 is the Assignee's published vMerchant User's Guide indicating copyright dates of 1998 and 1999. The Examiner regrets this late discovery in light of recent discussion with the Applicant's legal representative pertaining to potential allowability; however, the record needs to be clarified as to whether there was public use or on-sale activity of the claimed subject matter prior to 12 January 1999.

Requirements for information under 37 CFR 1.105 made without an action on the merits has a shortened statutory period of two months for reply. Applicant may extend the time period for reply up to six months in accordance with 37 CFR 1.136(a).

Applicant is reminded that failure to fully reply to this requirement for information will result in a holding of abandonment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Robert M. Pond
Primary Examiner
December 8, 2006



JEFFREY A. SMITH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600